

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 3, 2002

D037348 People v. Berlin

The judgment is affirmed. Kremer, P.J.; We Concur: Benke, J., Huffman, J.

D036816 Miller v. Applegate

The request for publication of the opinion is denied.

D040016 People v. Accredited Surety and Casualty Company

Surety/real party in interest Accredited Surety and Casualty Company's appeal from the summary judgment entered on December 11, 2002, is dismissed as untimely. The notice of appeal appears to be timely under rule 2 as to the order of October 12, 2001, denying appellant's motion to vacate forfeiture and exonerate bail, as the file does not show that notice of entry of that order was given, and the notice of appeal was filed within 180 days of the order. Accordingly, appellant is directed to limit its briefing to issues concerning the October 12, 2001, order denying appellant's motion to vacate forfeiture and exonerate bail.

D039706 Murphy v. Julian Union High School District et al.

Pursuant to California Rules of Court, rule 8, the appeal filed March 5, 2002, is dismissed for failure of appellant to timely deposit costs for preparing the record on appeal (Cal. Rules of Court, rule 4(b) and 5(c)).

D039805 Jocelyn O. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency

The attorney for petitioner Jocelyn O. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 4, 2002

D040007 Ruel et al. v. American Express Travel Related Services/The Divine Family Trust
The appeal is dismissed.

D037667 Christopherhill Development v. Balcor/Santa Fe Valley Venture et al.
The judgment is reversed. Costs are awarded to Christopherhill

D038098 In re the Marriage of Bunney

D038793 In re the Marriage of Bunney

Upon written stipulation the consolidated appeals are dismissed. Each party will bear their own costs.

D036784 Sammis et al. v. Brobeck, Phleger & Harrison

The judgment is reversed. Sammis is awarded costs on appeal. McConnell, J.;
We Concur: Nares, J. Acting P.J., McDonald, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 5, 2002

D037229 Gafcon, Inc. v. Ponsor & Associates et al.

The judgment with respect to Ponsor & Associates and von Kaesborg is affirmed. The judgment with respect to Travelers is reversed. On remand, the trial court is directed to deny Travelers' motion for summary adjudication as to Gafcon's fourth cause of action for declaratory relief and enter summary adjudication of Travelers' remaining causes of action. The parties are to bear their own costs on appeal. CERTIFIED FOR PUBLICATION. O'Rourke, J.; We Concur: Benke, Acting P.J., Huffman, J.

D038346 People v. Hilsgen

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., McIntyre, J.

D036118 People v. McIntosh

The petition for rehearing is denied. The opinion filed May 17, 2002 is modified. There is no change in judgment.

D038047 Ord et al. v. Regents of the University of California

The judgment is affirmed. Heirs to bear costs on appeal. O'Rourke, J.; We Concur: McIntyre, Acting P.J., McConnell, J.

D039881 In re Green on Habeas Corpus

The petition is denied.

D039872 In re Roberts on Habeas Corpus

The petition is denied.

D040131 Parker v. Superior Court of San Diego County/People

The petition is denied as moot.

D049224 Financial Asset Management Services, LTD. v. Superior Court of San Diego County/Panther

Real party in interest is to file an informal response to the petition on or before one week from the date of this order. Pursuant to Code of Civil Procedure section 418.10, subdivision (c), petitioner's time to respond to the alter ego motion pending in the superior court is extended until 10 days after service of written notice of the final disposition of these mandate proceedings.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 6, 2002

D038049 Kenneth Jacob Seene, as Trustee, etc. v. Smith

The order is affirmed. McDonald, J.; We Concur: Kremer, P.J., Benke, J.

D037536 Marriage of Williams

The judgment is affirmed. Each party shall bear his or her own costs on appeal. McDonald, J.; We Concur: Benke, Acting P.J., Huffman, J.

D040187 City of Encinitas et al. v. Superior Court of San Diego County/Barratt American Inc.

The petition is denied.

D036193 Syntron Bioresearch, Inc. v. Fan

D036669 Syntron Bioresearch, Inc. v. Genix Biotesk, Inc., et al./Pratt
(Consolidated) The request for publication is denied.

D039238 California Chiropractic Association v. American Specialty Health Plans, Inc., et al.

The petition for writ of supersedeas is denied.

D039885 Cacho et al. v. Superior Court of San Diego County/Boudreau et al.

The petition is denied.

D039893 In re Hale on Habeas Corpus

The petition is denied.

D040119 Lourdes L. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Lourdes L. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case as to Lourdes L. is dismissed.

D037578 People v. Celis

The petition for rehearing is denied.

D039488 In re Chaunte C., a Juvenile

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D039815 Hendricks et al. v. Titus Interactive, S.A.

Upon written request filed by appellants, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)).

D040158 Warburton/Buttner v. Superior Court of San Diego County/The Tunica-Biloxi Tribe of Louisiana

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 6, 2002 (Continued)

D039888 Casa De Amigos v. Superior Court of San Diego County/Mobile Home Park Review Board

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
June 7, 2002

D038278 National Notary Association v. U.S. Notary et al.

The injunction issued by the trial court shall be modified to add the following language: "This injunction applies to prohibit an unsolicited facsimile only if (a) the facsimile was sent to or from California; or (b) defendants directed the transmission of the facsimile from California; or (c) the facsimile was transmitted to a state where NNA conducts seminars or defendants compete with NNA for seminar attendees. This injunction shall not apply to an unsolicited intrastate facsimile that is lawful under the applicable state law if that law is not preempted by 47 United States Code section 227." As modified, the judgment is affirmed. The parties to bear their own costs on appeal. Haller, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D037760 Antorietto v. Regents of the University of California et al.

The judgment is affirmed. The defendants are awarded their costs of appeal. McIntyre, J.; We Concur: Benke, Acting P.J., Huffman, J.

D037590 Palestini et al. v. General Dynamics Corporation et al.

The judgment of dismissal is reversed, and this matter is remanded for further proceedings. Appellants shall recover their costs on appeal. CERTIFIED FOR PUBLICATION. Nares, Acting P.J.; We Concur: McDonald, J., McConnell, J.

D037914 People v. Wenzel

The judgment is affirmed. Nares, Acting P.J.; We Concur: McDonald, J., McConnell, J.

D038277 Don Prudhomme Racing, Inc. v. Wynn Oil Company

The judgment is affirmed.